

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and following remarks.

Applicants appreciate the indication of allowable subject matter in claims 2 and 5-15 of the present application.

By the foregoing amendment, claims 1, 2 10, 14 and 17 have been amended. No new matter is added. Thus, claims 1-18 are currently pending in the application and subject to examination.

In the Office Action mailed February 22, 2005, the title and specification were objected to. The title and specification have been amended responsive to the objections. If any additional amendment is necessary to overcome these objections, the Examiner is requested to contact the Applicant's undersigned representative at the telephone number listed below.

Claims 1, 3, 4, 16-18 Recite Patentable Subject Matter

Claims 1, 3, 4, 16-18 are rejected under 35 U.S.C.§.102(b) as being anticipated by U.S. Patent No. 6,370,060 to Takata et al. ("Takata"). It is noted that independent claims 1 and 17 have been amended. To the extent that the rejection remain applicable to the claims currently pending, Applicant hereby traverses the rejection, as follows.

Independent claim 1 recites, in part:

a load adjustor section that adjusts a first load connected to a source terminal side of the reference cell in accordance with a selected address of the memory cell;

wherein the first load is adjusted with reference to a second load on a data path of a source terminal side of the memory cell selected in accordance with the selected address.

Similarly, independent claim 17 recites, in part:

the reference value is adjusted by adjusting a first load connected to a source terminal side of the reference cell with reference to a second load on a data path of a source terminal side of the memory cell selected by a selected address.

As noted in the outstanding Office Action, Tanaka fails to teach at least the limitation of the second load is a load at a source terminal side of the memory cell according to the selected address, and the load adjuster section adjusts a first load connected to a source terminal side of the reference cell.

For at least this reason, Applicant submits that independent claims 1 and 17 are allowable over the cited prior art. As claims 3, 4 and 16 depend from claim 1 and claim 18 depends from claim 17, claims 3, 4 and 16 and claim 18 are allowable for the same reasons as claims 1 and 17, respectively, as well as for the additional subject matter recited therein.

Claims 2 and 5-15 Recite Patentable Subject Matter

Each of claims 2 and 5-15 depends, directly or indirectly, from claim 1. Thus, claims 2 and 5-15 are allowable for the same reasons as claim 1, as well as for the additional subject matter recited therein.

CONCLUSION

For all of the above reasons, it is respectfully submitted that the claims now pending patentability distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referencing Client Matter No. **024016-00064**.

Respectfully submitted,

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